

EXHIBIT F

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April 6, 2022

Via Email [hhata@yonexusa.net] and U.S. Mail

Mr. Hiroshi Hata
Yonex Corporation U.S.A.
20140 South Western Avenue
Torrance, CA 90501

Re: Infringement of Unique Sports Products Trademarks

Dear Mr. Hata:

We represent Unique Sports Products, Inc. ("Unique"). Unique is the owner of federal trademark registrations for PRO TOUR GRIP® covering "handle grips for sporting equipment" (U.S. Reg. No. 4,758,145) and TOURNA GRIP® covering "grips for sports equipment in the nature of a tape wrap" (U.S. Reg. No. 1,117,774)(see attached). Unique also has related common-law trademark rights through substantial use in commerce of these marks: TOURNA GRIP® since at least as early as 1978 and PRO TOUR GRIP® since at least as early as 2012. Additionally, Unique owns a trademark registration in Germany (Reg. No. 1,029,927) for TOURNA GRIP®.

As you are aware based on your recent email exchange with Unique's president, Gene Niksich, Yonex's use of the Tour Grip mark for its tennis racket replacement grip product violates Unique's rights in its PRO TOUR GRIP® and TOURNA GRIP® marks.

Initially we note that while you attempted to claim in your emails with Mr. Niksich that Yonex's use of Tour Grip is descriptive, Yonex's actual packaging, *inter alia*, demonstrates that this assertion is false:



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While the terms “Synthetic Leather” and “Tennis” are descriptive, the emphasized and larger font used for “Tour Grip” clearly demonstrates that Yonex uses it as a trademark.

Perhaps even more offensive to Unique than the disingenuous claim that Yonex is not using Tour Grip as a trademark is the fact that, at least as to the TOURNA GRIP mark, Yonex has known about Unique’s trademark rights for over 30 years. In **1998**, Unique sued Yonex over its use of the infringing “Tour Grap” mark (*Unique Sports Products, Inc. v. Yonex Corp., U.S.A.*, N.D.Ga., Civ, Action File No. 1:98-cv-1432). That case was resolved by Yonex paying Unique \$12,500.00 and ceasing future use of the “Tour Grap” mark after a sell-off period. A copy of the parties’ October 1, 1998, settlement agreement is included for your reference. Of course, Yonex’s current Tour Grip mark is even closer to Unique’s Tourna Grip mark than 1998’s offending “Tour Grap” mark. Yonex was infringing Unique’s trademark rights in 1998, and under the circumstances is willfully doing so now.

Yonex’s use of Tour Grip constitutes trademark infringement in violation of 15 U.S.C. § 1114, a false designation of origin in violation of Section 43(a) of the Lanham Act (15 U.S.C. § 1125), trademark infringement and unfair competition under O.C.G.A. § 10-1-372 and potentially other state laws, and a violation of Unique’s common-law trademark rights.

Trademark law requires that you use a mark that is not confusingly similar to mark of a prior user. The fact that the Tour Grip mark contains a slight variation from Unique’s marks is insignificant from a trademark perspective, especially since the goods and/or services offered are identical or very similar and sold to the same class of consumers through similar channels of trade. *See e.g., Attrezzi, LLC v. Maytag Corp.*, 436 F.3d 32 (1st Cir. 2006); *Fossil Inc. v. Fossil Grp.*, 49 U.S.P.Q.2d 1451 (Trademark Trial & App. Bd. 1998).

Based on the foregoing, Unique demands that your client cease and desist from further use of the Tour Grip mark (and variations thereof) in connection with grip products, or any other name that is confusingly similar with Unique’s TOURNA GRIP® and PRO TOUR GRIP® marks. Without limiting the generality of the foregoing, this includes removal of Tour Grip branded products from Yonex’s websites and third-party sites such as Amazon.

Unique has not made any decisions regarding how to resolve this matter at this time. We tend to believe that a commercially reasonable self-off and phase out in the U.S. and Germany could be an appropriate resolution provided that Yonex makes appropriate financial restitution. Please provide a proposed sell-off period for any current products using the Tour Grip mark. Additionally, Yonex must produce records adequate to demonstrate Yonex’s sales (in units and revenue) of Tour Grip products in the U.S., Canada, and Germany from 2013 through the present. Please be aware that Unique will

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further seek reimbursement of all fees and expenses incurred in the enforcement of its rights.

Unique demands a response within ten (10) business days of your receipt of this letter.

This letter contains an offer to compromise a disputed matter, is inadmissible in any proceeding, and is governed by Fed.R.Civ.P. 408.

This letter is not and cannot be construed as a full statement of all of either Unique's rights or the remedies that Unique may seek in the future. Unique reserves all and waives none of its rights in connection with this matter.

Very truly yours,



W. Scott Creasman
For Taylor English Duma LLP

Enclosures

Attachment 1

United States of America

United States Patent and Trademark Office

PRO TOUR Grip

Reg. No. 4,758,145

Registered June 23, 2015

Int. Cl.: 28

TRADEMARK

PRINCIPAL REGISTER

UNIQUE SPORTS PRODUCTS INC. (GEORGIA CORPORATION)
840 MCFARLAND PARKWAY
ALPHARETTA, ID 30004

FOR: HANDLE GRIPS FOR SPORTING EQUIPMENT, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 1-15-2011; IN COMMERCE 1-3-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,117,774 AND 3,830,030.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GRIP", APART FROM THE MARK AS SHOWN.

SER. NO. 85-510,375, FILED 1-6-2012.

JENNIFER MARTIN, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

Attachment 2

Int. Cl.: 28

Prior U.S. Cl.: 22

United States Patent and Trademark Office

Reg. No. 1,117,774

Registered May 8, 1979

TRADEMARK

Principal Register

TOURNA GRIP

Consolidated Service Group, Inc. (Georgia corporation)
P.O. Box 48114
Atlanta, Ga. 30340

For: GRIPS FOR SPORTS EQUIPMENT IN
THE NATURE OF A TAPE WRAP, in CLASS 28
(U.S. CL. 22).

First use Dec. 14, 1977; in commerce Jan. 18, 1978.
The word "Grip" is disclaimed apart from the mark
as shown.

Ser. No. 160,909, filed Mar. 6, 1978.

Int. Cl.: 28

Prior U.S. Cl.: 22

United States Patent and Trademark Office

Reg. No. 1,117,774
Registered May 8, 1979

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Principal Register

TOURNA GRIP

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